

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JEFFREY TALAMANTES,

Plaintiff,

vs.

MERCED COUNTY JAIL, et al.,

Defendants.

1:20-cv-01643-DAD-GSA-PC

**ORDER REQUIRING PLAINTIFF TO
USE THE ADDRESS WHERE HE
RESIDES AS HIS ADDRESS-OF-
RECORD AT THE COURT**

**ORDER FOR PLAINTIFF TO FILE
NOTICE OF CHANGE OF ADDRESS
WITHIN THIRTY DAYS**

**ORDER DIRECTING CLERK TO MAIL
CHANGE-OF-ADDRESS FORM AND
COPY OF THIS ORDER TO PLAINTIFF
AT FOUR ADDRESSES**

I. BACKGROUND

Jeffrey Talamantes (“Plaintiff”) is a jail inmate proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this action on November 18, 2020. (ECF No. 1.) The Complaint awaits the court’s requisite screening under 28 U.S.C. § 1915.

On the face of his Complaint Plaintiff indicates that he is incarcerated at the Merced County Jail, 2584 W. Sandy Mush Rd., Merced, CA 95341. (ECF No. 1 at 1.) On page 7 of the Complaint, Plaintiff informs the court that he will be using his mother’s home address instead of the one written on the first page of the Complaint because he was transferred and will be transferred again. (ECF No. 1 at 7.) His mother’s address is 346 Church Ave., Oakdale, CA 95361. (Id.) During the pendency of this case the court has used two other addresses whose origins are unclear: (1) #181164, John Latorraca Correctional Center, 2584 West Sandy Mush

1 Road, El Nido, CA 95341, and (2) #181164, C.I.M., P.O. Box 368, Chino, CA 91708. (Court
2 Record.) Plaintiff's current address of record in this case appears to be the Chino address, but
3 mail has been returned to the court from both the El Nido and Chino addresses as undeliverable.
4 (Court Record.)

5 **II. CHANGE OF ADDRESS TO ADDRESS OTHER THAN PRO SE LITIGANT'S
6 ACTUAL ADDRESS**

7 In the event that Plaintiff intends to retain his status as a *pro se* litigant and continue
8 representing himself, he may not change his address of record at the court to an address where
9 he does not reside. There is no Federal Rule of Civil Procedure or Local Rule allowing service
10 of court and other legal documents at an address other than a *pro se* litigant's actual address.
11 Local Rules 131, 182(f), and 183(b) require *pro se* litigants to inform the court of their addresses
12 and to keep the court informed of any change in their addresses. There is no authority for the
13 proposition that a *pro se* litigant may simply request the court to serve him at a different address.

14 There may be special circumstances in which the court could serve a *pro se* litigant at a
15 separate address. However, no such special circumstances are apparent here. Moreover, service
16 at a location other than Plaintiff's place of residence can pose significant problems with ensuring
17 that Plaintiff receives all court documents, meets court deadlines, and prepares and signs all of
18 his own legal documentation as a party proceeding in *pro se*.

19 The Clerk of Court is therefore directed to send Plaintiff a change-of-address form.
20 Plaintiff is required to complete and return the form to the court within thirty days notifying the
21 court of his address of actual residence. Plaintiff is cautioned that *pro se* litigants are required to
22 notify the Clerk and all other parties of any change of address, and absent such notice, service of
23 documents at the prior address of the party shall be fully effective. See Local Rule 182(f).
24 Moreover, Plaintiff's failure to comply with an order or any Local Rule may be grounds for
25 dismissal of the entire action. See Local Rule 110.

26 **III. CONCLUSION**

27 Based on the foregoing, IT IS HEREBY ORDERED that:

1. Plaintiff is required to use the address where he resides as his address-of-record
2 at the court;
3. The Clerk of Court is DIRECTED to:
 - 4 (a) Mail a copy of this order and a change-of-address form to Plaintiff at the
5 following four addresses:
 - 6 (1) Jeffrey Talamantes
7 #181164
8 Merced County Jail
2584 W. Sandy Mush Rd.
Merced, CA 95341
 - 9 (2) Jeffrey Talamantes
10 346 Church Ave.
11 Oakdale, CA 95361
 - 12 (3) Jeffrey Talamantes
13 #181164
14 John Latorraca Correctional Center
2584 West Sandy Mush Road
El Nido, CA 95341
 - 15 (4) Jeffrey Talamantes
16 #181164
17 C.I.M.
P.O. Box 368
Chino, CA 91708

- 19 3. Within thirty days of the date of service of this order, Plaintiff is required to file a
20 notice of change of address, notifying the court of his address of actual residence;
21 and
- 22 4. Plaintiff's failure to comply with this order shall result in a recommendation that
23 this action be dismissed.

24 IT IS SO ORDERED.
25

26 Dated: March 17, 2021

27 /s/ Gary S. Austin
28 UNITED STATES MAGISTRATE JUDGE